IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11111 of 2004

Between:

V.Rama Mohan Rao, s/o Tirupathi Rao,
Vidyanagar, Jagityal, Karimnagar District.

..... PETITIONER

AND

1 APSRTC rep., by its Vice-Chairman and Managing Director, Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Karimnagar region, Karimnagar, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or directions more in the nature of writ of mandamus directing the respondents to promote the petitioner as Assistant depot Clerk on par with his junior Sri K.Prabhakar Reddy with all attendant benefits including arrears

Counsel for the Petitioner: MR.P.GOVINDA RAJULU

Counsel for the Respondents: SMT.G.JYOTHI KIRAN

The Court made the following :

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

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WRIT PETITION No. 11111 of 2004

ORDER:

Heard learned counsel on either side.

The case of the petitioner is that he was appointed as conductor in December, 1987 at Jagityal Depot, under the quota reserved for displaced employees on the ground of Nationalization of the Bus route *vide* Bus No. AAZ 1985. While so, in the year 1990, he was removed from service, on the ground of some cash and tickets irregularities. Questioning the same, he filed I.D.No. 488 of 1990 in Labour Court Godavarikhani, which by its Award dated 14.10.1991 ordered his reinstatement as booking Conductor in any bus station without any attendant benefits and with nominal continuity of service and the same became final. In pursuance of the said Award, the Deputy Manager (Law), by his letter dated 28.11.1991, directed the Regional Manager, Karimnagar to comply with the Award of the Labour Court and, consequently, the Divisional Manager, Karimanagar, passed an office order dated 25.10.1991, directing his reinstatement as Booking Clerk at Huzurabad and accordingly, he joined there in the month of January, 1992. His further case is that he is entitled for the continuity service and for the promotions on par with the juniors. He stated that he made a representation on 09.01.2003 to the 2nd respondent to consider his case for promoting him to the post of Assistant Depot Clerk on par with the junior K. Prabhakar Reddy. But the said representation was not considered and disposed of. Hence the writ petition.

Having regard to the facts and circumstances, and without going into the merits and demerits of the case, it would suffice in the interest of Justice to direct the 2nd respondent to consider and dispose of the representation of the petitioner dated 09.01.2003.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider the representation of the petitioner dated 09.01.2003 and to dispose

of the same, within six weeks from the date of receipt of a copy of this order. No order as to costs.

V.ESWARAIAH , J.

Dated: 30th July, 2004

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To

1. The Vice Chairman and Managing Director,
   A.P.S.R.T.C.,
   Musheerabad, Hyderabad.

2. The Regional managjer,
   A.P.S.R.T.C.,
   Karimnagar Region,
   Karimnagar,
   Karimnagar District

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